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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/075,514	02/13/2002	Ibrahim Kamel	9432-000152	8931

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EXAMINER

PEUGH, BRIAN R

ART UNIT	PAPER NUMBER
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2187

DATE MAILED: 04/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/075,514	KAMEL ET AL.	
	Examiner	Art Unit	
	Brian R. Peugh	2187	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☒ Claim(s) 1-17 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 February 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>5/1/03</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Information Disclosure Statement

The information disclosure statement (IDS) submitted on May 1, 2003 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Drawings

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference item(s) not mentioned in the description: HTTP Service, Log Service, Device Access, Unified Messaging, Security Monitor, [.....], Java Virtual Machine (pJava, J2ME, etc), Operating System/RTOS, Hardware.

The drawings are objected to because Figures 3 and 4 include operational step titles described in the Specification for steps 32, 34, 36, 38, 39, 42, 44, 46, 48, 50, and 52, but are in such a form that requires them to be rewritten for the sake of clarity and proper correspondence with the Specification.

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "...Identifying a subset of service instance(s) whose memory space requirement exceeds the memory space requirement of the service request, the subset having a minimal number of the service instances" must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: Claim 5 recites "...a given active service instance", which the Examiner has been unable to locate in Applicant's Specification.

The disclosure is objected to because of the following informalities:

Paragraph 25, line 3: It is unclear to the Examiner as to what "...may be retrieved from a data store...".

Appropriate correction is required.

Claim Objections

Claims 1-17 are objected to because of the following informalities:

Regarding claim 1, line 2: Insert --service-- before "gateway" in order to facilitate proper antecedent basis.

Regarding claim 1, line 3: Insert --plurality of service instances— before the first instance of "service" in order to facilitate proper antecedent basis.

Regarding claim 1, line 4: Insert --of the plurality of service instances— after "instance" in order to facilitate proper antecedent basis.

Regarding claim 1, line 7: Insert --service-- before "gateway" in order to facilitate proper antecedent basis.

Regarding claim 1, line 9: Insert --of the plurality of service instances— after "instance" in order to facilitate proper antecedent basis.

Regarding claim 1, lines 11: Insert --of the plurality of service instances— after "instance" in order to facilitate proper antecedent basis.

Regarding claim 1, line 12: Insert --of the plurality of service instances— after the second instance of "instance" in order to facilitate proper antecedent basis.

Regarding claim 1, lines 13: Insert –of the plurality of service instances— after “instance” in order to facilitate proper antecedent basis.

Regarding claim 1, line 13: Replace “instance” with –instances-- in order to facilitate proper antecedent basis.

Regarding claim 1, line 15: Replace “subset” with –identified subset of service instances-- in order to facilitate proper antecedent basis.

Regarding claim 1, line 15: Insert –of the plurality of service instances— after “instances” in order to facilitate proper antecedent basis.

Regarding claim 3, lines 2, 5, & 6: Insert –of the plurality of service instances— after “instance” in order to facilitate proper antecedent basis.

Regarding claim 4, line 6: Insert –of the plurality of service instances— after each instance of “instance” in order to facilitate proper antecedent basis.

Regarding claim 6, line 2: Insert –service-- before “gateway” in order to facilitate proper antecedent basis.

Regarding claim 6, line 6: Insert –service-- before “gateway” in order to facilitate proper antecedent basis.

Regarding claim 6, line 8: Insert –of the plurality of service instances— after “instance” in order to facilitate proper antecedent basis.

Regarding claim 6, line 10: Insert –of the plurality of service instances— after “instance” in order to facilitate proper antecedent basis.

Regarding claim 6, line 11: Insert –of the plurality of service instances— after “instance” in order to facilitate proper antecedent basis.

Regarding claim 6, line 15: Insert –of the plurality of service instances— after “instance” in order to facilitate proper antecedent basis.

Regarding claim 7, lines 2 & 4: Insert –of the plurality of service instances— after “instance” in order to facilitate proper antecedent basis.

Regarding claim 8, lines 3, 6, and 9: Insert –service-- before “gateway” in order to facilitate proper antecedent basis.

Regarding claim 9, line 2: Insert –service-- before “gateway” in order to facilitate proper antecedent basis.

Regarding claim 10, lines 3 & 5: Insert –of the plurality of service instances— after “instance” in order to facilitate proper antecedent basis.

Regarding claim 11, lines 3, 4, & 5: Insert –of the plurality of service instances— after “instance” in order to facilitate proper antecedent basis.

Regarding claim 12, line 2: Insert –service-- before “gateway” in order to facilitate proper antecedent basis.

Regarding claim 12, line 6: Insert –service-- before “gateway” in order to facilitate proper antecedent basis.

Regarding claim 12, line 8: Insert –service-- before “gateway” in order to facilitate proper antecedent basis.

Regarding claim 12, line 8: Insert –of the plurality of service instances— after “instance” in order to facilitate proper antecedent basis.

Regarding claim 12, line 13: Insert –dynamic programming— before “table” in order to facilitate proper antecedent basis.

Regarding claim 12, line 13: Insert –of the plurality of service instances— after “instance” in order to facilitate proper antecedent basis.

Regarding claim 12, line 15: Insert –of the plurality of service instances— after “instance” in order to facilitate proper antecedent basis.

Regarding claim 13, line 2: Insert –service-- before “gateway” in order to facilitate proper antecedent basis.

Regarding claim 14, line 3: Insert –of the plurality of service instances— after “instance” in order to facilitate proper antecedent basis.

Regarding claim 14, line 5: Insert –of the plurality of service instances— after “instance” in order to facilitate proper antecedent basis.

Regarding claim 15, line 2: Insert –of the plurality of service instances— after “instance” in order to facilitate proper antecedent basis.

Regarding claim 16, lines 3, 4, 5, 7, & 8: Insert –of the plurality of service instances— after “instance” in order to facilitate proper antecedent basis.

Regarding claim 17, lines 2 & 4: Insert –of the plurality of service instances— after “instance” in order to facilitate proper antecedent basis.

Claims 2 and 5 are objected to as being dependent upon an objected claim.

Appropriate correction is required.

Allowable Subject Matter

Claims 1-17 appear to contain allowable subject matter in light of the objections respectively attributed to each of the claims, and may be allowable if amended in accordance with the Examiner's suggestions as recited above.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The prior art corresponds to related service distribution systems.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian R. Peugh whose telephone number is (571) 272-4199. The examiner can normally be reached on Monday-Thursday from 7:00am to 4:30pm. The examiner can also be reached on alternate Friday's from 7:00am to 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald Sparks, can be reached on (571) 272-4201. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

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Status information for unpublished applications is available through Private PAIR only.

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).



Brian R. Peugh
Patent Examiner
Art Unit 2187
April 18, 2005